IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.35667 of 2008
KAPILESHWAR YADAV
Versus
STATE OF BIHAR

3/ **10-Dec-08** Heard the parties.

Petitioner's prayer for bail has been rejected on several occasions in the past because there is a specific allegation that he assaulted the deceased with a *Tangi* on the head. On 2.4.2007 this Court rejected petitioner's prayer for bail directing the court below to ensure that the remaining non official witnesses i.e. the I.O. and the Doctor may be examined soon and the trial be concluded expeditiously and preferably within four months. After more than 1 and ½ years the court below has submitted a report dated 10.11.2008. It appears that court below has not seen the earlier order of this Court expediting trial. It has mentioned in the report that the case may be

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disposed of within six months.

In the facts of the case, the prayer for bail is again rejected. This order should be communicated to the trial court i.e. Additional Sessions Judge, Fast Track Court No.II, Madhubani so that Sessions Trial No.417/03 is concluded within six months. If the trial does not conclude within six months from the date of production/communication of a copy of this order, the petitioner would be at liberty to renew his prayer for bail on the ground that he is in custody since 14.7.2002.

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perwez **(Shiva Kirti Singh,J.)**